

**REMARKS**

**Summary Of The Office Action & Formalities**

**Status of Claims**

Claims 1-8 are all the claims pending in the application. By this Amendment, Applicant is amending claims 1 and 5 and adding new claims 9-15. No new matter is added.

**Claim to Foreign Priority**

Applicant thanks the Examiner for acknowledging the claim to foreign priority and for confirming that the certified copy of the priority document was received.

**Information Disclosure Statement**

Applicant also thanks the Examiner for initialing the references listed on form PTO/SB/08 submitted with the Information Disclosure Statement filed on April 21, 2005.

**Specification**

The abstract of the disclosure is objected to because of the use of legal term "said" throughout the abstract. Applicant has replaced the abstract to address this objection.

**Claim Rejections - § 112**

Claims 1-8 are rejected under 35 U.S.C. § 112, second paragraph, for the reason set forth at page 3 of the Office Action. Applicant is amending the claims to overcome this rejection.

**Art Rejections**

1. Claims 1-8 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-11 of copending Application No. 10/532,961.

2. Claims 1, 2 and 4-8 are rejected under 35 U.S.C. § 102(b) as being anticipated by Walker et al. (US 5,564,414).

3. Claim 3 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Walker et al. (US 5,564,414) in view of Barberi et al. (US 6,327,017).

Applicant respectfully traverses.

**Claim Rejections - Double Patenting**

***1. Claims 1-8 In View Of Claims 1-11 Of Copending Application No. 10/532,961.***

In rejecting claims 1-8 in view of claims 1-11 of copending Application No. 10/532,961, the grounds of rejection state:

Although the conflicting claims are not identical, they are not patentably distinct from each other because claims 1-11 of copending Application No. 10/532,961 encompass all the limitations of the above noted claims.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Office Action at page 4.

Applicant will address this rejection appropriately should one of the two applications in question be allowed and the Examiner makes the provisional obviousness-type double patenting rejection final.

**Claim Rejections - 35 U.S.C. § 102**

***2. Claims 1, 2 and 4-8 In View Of Walker et al. (US 5,564,414).***

In rejecting claims 1, 2 and 4-8 in view of Walker et al. (US 5,564,414), the grounds of rejection state:

Walker et al. disclose an electronic display device (130) including a display member (131), the device being characterized

in that the display member is permanent so that no energy is required to keep the display unchanged (col. 7, ll. 35-57), the display device operating without a battery, the energy required to change the display being created by interaction between two elements (123,135) such as friction or by an impact, thereby creating an electric pulse, the pulse being processed by an electronic circuit before being applied to the display member in order to change its display (col. 7, ll. 35-57), the display member is of the liquid crystal display (LCD) type as seen in Figure 2D, a fluid dispenser (10), a reservoir (13), striker pin (123), a spring (128).

Office Action at pages 4-5.

Claim 1 recites that the display device operates *without a battery*. This feature, in combination with the other features of claim 1 is neither taught nor suggested by the applied references.

In Walker et al, the indicator *requires a power supply* (see column 7, line 32; column 8, lines 58-60). It is also stated in Walker et al. (and the Examiner recognizes) that the power consumption is *reduced* when the counter device is not active (see column 8, lines 57-58). This disclosure clearly means there is still some power consumption by the device requiring a battery or other similar power supply.

Accordingly, Walker et al. does not disclose or suggest all the features of claim 1 and the Examiner is requested to reconsider the rejection of claim 1 and claims dependent therefrom.

Regarding Barberi et al. and Langley et al., neither patent teaches or renders obvious the claimed features.

In Barberi et al., there is no indication at all as to how the energy used to change a display is provided, and thus, even if one were to combine Walker et al. with Barberi et al., the combination would not result in all the features of claim 1.

Likewise, combining the above with the disclosure of Langley et al. would not result in all the claimed features, as Langley et al. discloses a motor that clearly *requires a power supply*.

Thus, none of the cited references, even when combined, provide the claimed solution of a display device operating without a battery as claimed.

In view of at least the foregoing, the claims are believed to be patentable.

#### New Claims

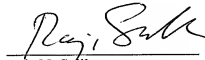
For additional claim coverage merited by the scope of the invention, Applicant is adding new claims 9-15. Claims 9-11 are allowable at least by reason of their dependencies. Claim 12 is allowable at least because it recites that the *electrical energy is generated* by interaction between two physical portions of the device moving relative to each other. Claims 13-15 are allowable at least by reason of their respective dependencies.

#### Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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